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10/083,064

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Kenneth James Aubuchon

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SPRINT COMMUNICATIONS COMPANY L.P.

6391 SPRINT PARKWAY

KSOPHT0101-Z2100

OVERLAND PARK, KS 66251-2100

EXAMINER

PATEL, HEMANT SHANTILAL

ART UNIT

PAPER NUMBER

2614

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/083,064 | Applicant(s) AUBUCHON ET AL. | |
| | Examiner HEMANT PATEL | Art Unit 2614 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-14 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-14 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's submission filed on January 29, 2009 in response to Office Action dated October 30, 2008 has been entered. Claims 1, 3-14, 32 are pending in this application.

Response to Amendment

2. Applicant's arguments with respect to claims 1, 3-14, 32 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1, 3-14, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doleac (US Patent No. 6,668,053 B1), and further in view of Ash (US Patent No. 5,559,877).

Regarding claim 1, Doleac teaches of a system for implementing a business requirement in a telecommunications network, wherein said telecommunications network includes at least one computing device, comprising:

a separating component (Figs. 1, 3 item 22, col. 3 ll. 40-46) that separates logic necessary to configure the computing device (Fig. 1 items 28, 30, 32, 34, col. 3 ll. 61-64, col. 4 ll. 22-25, col. 11 ll. 55-58, col. 14 ll. 15-30) from the business requirement (Fig. 1 item 14, col. 3 ll. 35-40), wherein the business requirement necessitates a change of at least one telecommunication service in a geographic area (col. 11 ll. 23-29 restoring service for affected area i.e. hospital campus), and wherein said change impacts a plurality subscribers associated with said telecommunications network (affecting service for all subscribers in affected area);

a communications component (Fig. 1 item 24) that conveys to the computer device logic to the computer device (Fig. 1 items 28, 30, 32, 34, col. 3 ll. 61-64, col. 4 ll. 22-25) so that the computer device is able to implement the business requirement (col. 14 ll. 15-30 switch implementing configuration requirement and returning success or failure indication) (col. 3 ll. 65-col. 4 ll. 25); and

a command generator (Fig. 3 item 52 with items 56, 58, 60) that generates commands that enable the computing device to implement the business requirement (col. 10 ll. 16-18), said commands being based upon the separated computing device

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logic (col. 12 ll. 35-40, col. 8 ll. 23-col. 10 ll. 49) (col. 1 ll. 55-col. 2 ll. 15, col. 3 ll. 28-col. 24 ll. 58 for complete details).

Doleac teaches of effecting changes for multiple users in a geographic area i.e. hospital campus, and hospital or other large organizations were known in the art to have multiple subscriber numbers i.e. block or range of directory numbers based on office code, and making a change to configuration based on office code affects all telephone numbers served by that particular office code. Doleac also teaches of switch data with area code indicator (Fig. 17A field in item 320) and modifying this will affect all the subscribers having directory numbers with the affected area code in a geographic region served by this switch. But Doleac does not specifically discuss such changes affecting subscribers in a geographic region.

However, in the same field of communication, Ash teaches of a system and method conveying computing device logic (messages with changes or updates) to computing device (col. 4 ll. 61-64, col. 5 ll. 1-3, 9-11, affected switches) to implement business requirement (col. 4 ll. 55-61 addition of new dialing code, col. 5 ll. 36-57) affecting a plurality of subscribers in a geographic area (subscribers affected by added range of numbers served by the switch) (col. 4 ll. 55-col. 6 ll. 2).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Doleac to send commands to switches to implement business requirement affecting plurality of subscribers in a geographic area as taught by Ash in order to enable “the provisioning of routing and trunking data” for “each of the elements forming a telecommunication network” (Ash, col. 1 ll. 47-49).

Regarding claim 3, Doleac teaches of the system, further comprising:

a user interface providing information about said business requirement (col. 1 ll. 32-35, col. 3 ll. 35-36, col. 20 ll. 3-9 administrator displaying information, inherently suggesting use of interface to administer data or requirement, col. 11 ll. 23-29 identifying affected area or switches);

an external source of information providing information about the current state of said telecommunications network (col. 9 ll. 49-col. 10 ll. 49 the current status of switch type i.e. vendor, make, model, software type and level); and

a combining component to combine information from said user interface and from said external source of information to determine said business requirement (col. 10 ll. 13-49, col. 12 ll. 35-40, col. 13 ll. 23-36, col. 13 ll. 64-col. 14 ll. 30 determining business requirement commands based on switch types of affected switches based on priority of subscribers i.e. hospital, police or residential subscriber).

Regarding claim 4, Doleac teaches of the system, wherein said network said computing device is a telecommunications switch (col. 4 ll. 22-25, ll. 32-35).

Regarding claim 5, Doleac teaches of the system, wherein said computing device includes one **or** more data tables which determine the operation of said computing device (Figs. 17-20 describe various switch specific data tables for corresponding tables in the respective switches).

Regarding claim 6, Doleac teaches of the system, further comprising:

a determining component that determines the tables that need to be modified in the computing device based upon said business requirement, wherein said command

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generator generates one or more commands which allow said computing device tables to be modified to put into effect the business requirement (col. 19 ll. 45-col. 22 ll. 56).

Regarding claim 7, Doleac teaches of the system, wherein said telecommunications network includes a plurality of computing devices, and wherein said computing devices are of various types (col. 4 ll. 32-35), each type requiring different logic in order to accomplish the business requirement (col. 9 ll. 49-67, col. 12 ll. 35-40, col. 13 ll. 64-66, col. 16 ll. 10-20, ll. 30-44), wherein said command generator generates commands that are specific to each type of computing device based on the business requirement (col. 10 ll. 13-32, col. 12 ll. 13-40, col. 19 ll. 44-61), said system further comprising:

a command delivery component that communicates said commands to said computing devices (col. 3 ll. 65-col. 4 ll. 25).

Regarding claim 8, Doleac teaches of a network computer system capable of implementing a business requirement, the network computing system comprising:

at least one computing device responsible for determining routing of data through a network (col. 4 ll. 32-35);

a logic separation component (Figs. 1, 3 item 22, col. 3 ll. 40-46) which separates the logic necessary to configure the computing device (Fig. 1 items 28, 30, 32, 34, col. 3 ll. 61-64, col. 4 ll. 22-25, col. 11 ll. 55-58, col. 14 ll. 15-30) from the business requirement (Fig. 1 item 14, col. 3 ll. 35-40), wherein the business requirement necessitates a change of telecommunication services in a geographical area (col. 11 ll. 23-29 restoring service for affected area i.e. hospital campus), and wherein said

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change impacts a plurality subscribers associated with said telecommunications network (affecting service for all subscribers in affected area); and

a communication component (Fig. 1 item 24) which delivers the separated computer device logic to the appropriate computer device (Fig. 1 items 28, 30, 32, 34, col. 3 ll. 61-64, col. 4 ll. 22-25) so that the computing device can implement the business requirement (col. 14 ll. 15-30 switch implementing configuration requirement and returning success or failure indication) (col. 3 ll. 65-col. 4 ll. 25) (col. 1 ll. 55-col. 2 ll. 15, col. 3 ll. 28-col. 4 ll. 58 for complete details).

Doleac teaches of effecting changes for multiple users in a geographic area i.e. hospital campus, and hospital or other large organizations were known in the art to have multiple subscriber numbers i.e. block or range of directory numbers based on office code, and making a change to configuration based on office code affects all telephone numbers served by that particular office code. Doleac also teaches of switch data with area code indicator (Fig. 17A field in item 320) and modifying this will affect all the subscribers having directory numbers with the affected area code in a geographic region served by this switch. But Doleac does not specifically discuss such changes affecting subscribers in a geographic region.

However, in the same field of communication, Ash teaches of a system and method conveying computing device logic (messages with changes or updates) to computing device (col. 4 ll. 61-64, col. 5 ll. 1-3, 9-11, affected switches) to implement business requirement (col. 4 ll. 55-61 addition of new dialing code, col. 5 ll. 36-57)

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affecting a plurality of subscribers in a geographic area (subscribers affected by added range of numbers served by the switch) (col. 4 ll. 55-col. 6 ll. 2).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Doleac to send commands to switches to implement business requirement affecting plurality of subscribers in a geographic area as taught by Ash in order to enable “the provisioning of routing and trunking data” for “each of the elements forming a telecommunication network” (Ash, col. 1 ll. 47-49).

Regarding claim 9, Doleac teaches of the system, further comprising:

a command component (Fig. 3 item 52 with items 56, 58, 60) which generates commands which enable the computing device to implement the business requirement (col. 10 ll. 16-18), and wherein said commands are based upon the separated computing device logic (col. 12 ll. 35-40, col. 8 ll. 23-col. 10 ll. 49).

Regarding claim 10, Doleac teaches of the system, wherein said business requirement is based upon information from a user interface (col. 1 ll. 32-35, col. 3 ll. 35-36, col. 20 ll. 3-9 administrator displaying information, inherently suggesting use of interface to administer data or requirement, col. 11 ll. 23-29 identifying affected area or switches) and further based upon information about the current state of the network computer environment (col. 9 ll. 49-col. 10 ll. 49 the current status of switch type i.e. vendor, make, model, software type and level) (col. 10 ll. 13-49, col. 12 ll. 35-40, col. 13 ll. 23-36, col. 13 ll. 64-col. 14 ll. 30 determining business requirement commands based on switch types of affected switches according to priority of subscribers i.e. hospital, police or residential subscriber).

Regarding claim 11, Doleac teaches of the system, wherein said network computer environment is a telecommunication network and said computing device is a telecommunications switch (col. 4 ll. 22-25, ll. 32-35).

Regarding claim 12, Doleac teaches of the system, wherein said computing device includes one **or** more data tables which determine the operation of the said computing device (Figs. 17-20 describe various switch specific data tables for corresponding tables in the respective switches).

Regarding claim 13, Doleac teaches of the system, further comprising:
a table determination component which determines which tables associated with the various computing devices need to be modified (col. 19 ll. 45-col. 22 ll. 56); and
a command component which generates one **or** more commands which allow said computing device tables to be modified to put into effect the business requirement (col. 8 ll. 23-col. 10 ll. 49).

Regarding claim 14, Doleac teaches of the system, wherein said network computer environment includes a plurality of computing devices, and wherein said computing devices are of various types (col. 4 ll. 32-35), each type requiring a different logic in order to accomplish the business requirement (col. 9 ll. 49-67, col. 12 ll. 35-40, col. 13 ll. 64-66, col. 16 ll. 10-20, ll. 30-44), the system further comprising:

a command component which determines the appropriate commands that are specific to each type of computing device based upon the business requirement (col. 10 ll. 13-32, col. 12 ll. 13-40, col. 19 ll. 44-61); and

a communications component which conveys the determined commands to said computing devices (col. 3 ll. 65-col. 4 ll. 25).

Regarding claim 32, Doleac teaches of a system for building commands for a computing device in a telecommunications network to instruct the computing device on performing a task (col. 11 ll. 23-29 restoring service), wherein the computing device functions by having one **or** more tables loaded with data (Figs. 17-20 various switch specific data tables), comprising:

a service interpreter (task coordinator) component for receiving a plurality of data and a service identification (col. 7 ll. 20-27), wherein said service identification corresponds to the task to be performed by the computing device (col. 10 ll. 62-63 service order type, col. 11 ll. 55-58, col. 12 ll. 13-28 commands to be performed by switches), wherein said data is manipulated specifically for the computing device (col. 12 ll. 29-40, col. 14 ll. 9-30) and wherein said service identification is used to identify the tables that need to be loaded with said data (Figs. 17-20 descriptions, col. 11 ll. 8-20, col. 12 ll. 13-28 feature type), and wherein said task relates to a change of at least one telecommunication service in a geographic area (col. 11 ll. 23-29 restoring service in affected area), wherein said change impacts a plurality of subscribers of said telecommunications network (for affected subscribers);

a command component for building an ordered text string of fields for the table, said text string representing a row entry in the table (col. 18 ll. 36-60);

at least one command builder component to build a command, said command builder component existing for each of the tables in the computing device, said

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command builder component adapted to build a command appropriate to a received service identifier by invoking said command component (col. 7 ll. 28-col. 8 ll. 55, col. 9 ll. 49-col. 10 ll. 32, col. 28 ll. 53-67); and

a command factory component adapted to receive the identified tables and provide a pointer to said command builder component (col. 7 ll. 28-col. 8 ll. 55, col. 9 ll. 16-col. 10 ll. 6, col. 25 ll. 17-49).

Doleac teaches of effecting changes for multiple users in a geographic area i.e. hospital campus, and hospital or other large organizations were known in the art to have multiple subscriber numbers i.e. block or range of directory numbers based on office code, and making a change to configuration based on office code affects all telephone numbers served by that particular office code. Doleac also teaches of switch data with area code indicator (Fig. 17A field in item 320) and modifying this will affect all the subscribers having directory numbers with the affected area code in a geographic region served by this switch. But Doleac does not specifically discuss such changes affecting subscribers in a geographic region.

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Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

| | |
|-------------------------|----------|
| US Patent No. 5,634,126 | Norell |
| US Patent No. 6,622,016 | Sladek |
| US Patent No. 6,633,638 | De Trana |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEMANT PATEL whose telephone number is (571)272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hemant Patel
Examiner
Art Unit 2614

/Hemant Patel/
Examiner, Art Unit 2614